

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

## UNITED STATES DISTRICT COURT

for the

Eastern District of Arkansas

Division

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

OCT 13 2020

JAMES W. McCORMACK, CLERK  
By: [Signature] DEP CLERKBenjamin Vient

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Wehco Media Inc.  
Chattanooga Times Free Press

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

4:20-CV-1219-BRW  
(to be filled in by the Clerk's Office)This case assigned to District Judge Wilson  
and to Magistrate Judge Kearney

## COMPLAINT AND REQUEST FOR INJUNCTION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Benjamin Vient</u>
Street Address	<u>217 West 18<sup>th</sup> St. #238</u>
City and County	<u>New York</u>
State and Zip Code	<u>NY 10011</u>
Telephone Number	<u>212-924-0165</u>
E-mail Address	<u>bvient@outlook.com</u>

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

**Defendant No. 1**

Name	Wehco Media Inc.
Job or Title ( <i>if known</i> )	
Street Address	115 East Capitol Ave.
City and County	Little Rock
State and Zip Code	AR 72201
Telephone Number	
E-mail Address ( <i>if known</i> )	

**Defendant No. 2**

Name	Chattanooga Times Free Press
Job or Title ( <i>if known</i> )	
Street Address	400 East 11 <sup>th</sup> St.
City and County	Chattanooga
State and Zip Code	TN 37403
Telephone Number	
E-mail Address ( <i>if known</i> )	

**Defendant No. 3**

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address ( <i>if known</i> )	

**Defendant No. 4**

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

E-mail Address (if known) \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Copyright violations of the Copyright Act, 17 U.S.C. §§ 101 et seq  
Breaches of contract

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_.

**b. If the plaintiff is a corporation**

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name) \_\_\_\_\_.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, (name) \_\_\_\_\_, is a citizen of

the State of (name) \_\_\_\_\_ . Or is a citizen of  
(foreign nation) \_\_\_\_\_ .

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_ , is incorporated under  
the laws of the State of (name) \_\_\_\_\_ , and has its  
principal place of business in the State of (name) \_\_\_\_\_ .  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_ ,  
and has its principal place of business in (name) \_\_\_\_\_ .

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

---

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

The Copyright violations emanated from Wehco Media Inc., located in Little Rock, Arkansas. Wehco Media, Inc. owns The Chattanooga Times Free Press. (See Exhibit E.) Chattanooga Times Free Press and Wehco Media, Inc. allow unauthorized usage of my works through licensing agreements. (See Exhibit D, paragraph 2 and Exhibit F.)

I believe these events fall under Copyright's provisions to take court action: 17 U.S.C. §§ 501 (a), 17 U.S.C. §§ 501 (b).

---

B. What date and approximate time did the events giving rise to your claim(s) occur?

I discovered unauthorized usage of my works involving Wehco Media Inc. in 2018. Examples of unauthorized usage are attached to this Complaint and Request for Preliminary Injunctive Relief, as Exhibits A, B and C. The attachments show display dates of October 6, 2020.

---

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

Defendants have infringed on Plaintiff's body of works entitled "On the Rails." These works are registered at the Copyright Office. The Registration Numbers are TX8587743, TX8589705. The Registrations are attached to this Complaint as Exhibits G, H. Plaintiff had a contract with the Chattanooga Times Free Press for one-time publication of his works in TX8587743 and TX8589705. Defendants therefore had direct access to Plaintiff's works in TX8587743 and TX8589705. Plaintiff has no agreement with Defendants for reproduction, distribution, display and sales of his works with third-parties or other licensors, as we see in Exhibits A, B and C attached to this Complaint. Therefore, these are breaches of contract and violations under the Copyright Act of reproduction, distribution, display, sales, and use without an agreement. These rights of creators and Copyright holders are found under the Copyright Act 17 U.S.C. §§ 106 (1), 17 U.S.C. §§ 106 (3), and 17 U.S.C. §§ 106 (5), as examples of statutes infringed by Defendants. In Exhibits B and C, we see a false Copyright placed on Plaintiff's work, on page 2 of each Exhibit.

Defendants unauthorized usage at Exhibit B is the same text as Plaintiff's Registered work at TX8587743, listing #4. Defendants unauthorized usage at Exhibit C is the same text as Plaintiff's Registered Work at TX8589705, listing #12.

---

#### IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

I have not given rights of reproduction, distribution, display and sales of my works, as we see in Exhibits A, B, and C. I have attempted to correct directly with Defendants, to no prevail. As we see by the current date on Exhibits, this unauthorized use continues as of 10/6/20. Preliminary Injunctive Relief is necessary. These are works of mine that I created and I continue to work with and develop, including book publishing. Defendants harm my rights as Copyright holder by placing their false Copyright on my works, such as we see in page 2 of Exhibits B and C, and selling my works without permission. This must stop. Defendants unauthorized use of Plaintiff's works causes irreparable harm, including infringing on Plaintiff's exclusive Copyright rights to sell and develop his own works, and by falsely exhibiting a Copyright listing on Plaintiff's works.

The grant of injunction serves the public interest: The public has an interest in upholding the Constitution: US Constitution (Art. I, Sec. 8, Clause 8): "To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

I believe I will prevail at trial, as no Rights Agreement exists between Defendants and Plaintiff for usage such as evidenced in Exhibits A, B and C. And as our Supreme Court ruled in the Tasini Case: "We conclude that the Electronic Publishers infringed the Authors' copyrights by reproducing and distributing the Articles in a manner not authorized by the Authors and not privileged by §201(c). We further conclude that the Print Publishers infringed the Authors' copyrights by authorizing the Electronic Publishers to place the Articles in the Databases and by aiding the Electronic Publishers in that endeavor."

---



**V. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff seeks relief of all remedies as accorded under the law, including an independent accounting of usage of works, damages and statutory damages as available under the Copyright Act of 1976 (the "Copyright Act"), 17 U.S.C. §§ 101 et seq. , Plaintiff's legal fees and costs, Plaintiff's additional labor suffered correcting to contract, preliminary and permanent injunctive relief, other damages and relief related to the infringement of Plaintiff's intellectual property, and further legal and equitable relief as the Court deems just and proper.

Copyright's relief: 17 U.S.C. §§ 504 (a) and 17 U.S.C. §§ 505  
Jury demand.

---

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/06/2020

Signature of Plaintiff

Printed Name of Plaintiff Benjamin Vient

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_

EXHIBIT A

**NewsLibrary.com**  
news research made easy

Discover Your Ancestors in Newspapers 1690-Today!

Last Name

Search Now

GENEALOGYBANK

[Log In](#) | [Register](#)

[Home](#)

[Search](#)

[Tracked Searches](#)

[Saved Articles](#)

[Search History](#)

**SEARCH INSTEAD:**

[United States](#)

[All Papers](#)

[Newswires/Transcripts](#)

[Custom List](#)

**NARROW TO:**

[ABC - 2 WKRN \(Nashville, TN\)](#)

[ABC - 24 WPTY \(Memphis, TN\)](#)

[ABC - 6 WATE \(Knoxville, TN\)](#)

[ABC - 9 WTVC \(Chattanooga, TN\)](#)

[Advertiser News, The \(Spring Hill, TN\)](#)

[Advocate and Democrat, The \(Sweetwater, TN\)](#)

[All State, The: Austin Peay State University \(Clarksville, TN\)](#)

[Bell Tower, The: Freed-Hardeman University \(Henderson, TN\)](#)

[Blount Today \(Maryville, TN\)](#)

[Brentwood Home Page \(TN\)](#)

[Brentwood Life \(TN\)](#)

[Brownsville States-Graphic \(TN\)](#)

[Business Williamson \(TN\)](#)

[Cardinal & Cream: Union University \(Jackson, TN\)](#)

[CBS - 11 WJHL \(Johnson City, TN\)](#)

[CBS - 12 WDEF \(Chattanooga, TN\)](#)

[CBS - 3 WREG \(Memphis, TN\)](#)

[CBS - 3 WREG \(Memphis, TN\)](#)

[CBS - 5 WTVF \(Nashville, TN\)](#)

[CBS - 8 WVLT \(Knoxville, TN\)](#)

[Center Square Tennessee, The \(TN\)](#)

[Chalkbeat Tennessee \(Memphis, TN\)](#)

[Chattanooga Courier \(TN\)](#)

[Chattanooga Examiner \(TN\)](#)

[Chattanooga Times Free Press \(TN\)](#)

**More than 274 Million Newspaper Articles from Thousands of Credible U.S. Publications—All In One Location**

SEARCHING: TENNESSEE, US (110 title(s) - see a list)

for:

Search

[advanced search](#)

[new search](#)

return: Best matches first

from: all documents

Search Hint: Put phrases in quotation marks, e.g., "gun control"

Results: 1 - 10 of 15

1 2 | [Next](#)

Show First Paragraph ☒

1. **Chattanooga Times Free Press (TN) - January 3, 2016**

**BUDAPEST'S HOLIDAY TRAM**

TX 8-589-705 #11

It arrived, every year during the dark December weeks. Erzsebet first remembers it as a child in Budapest in the 1960s: The simple three-foot Christmas tree, big enough to inspire wonder and small enough for her little hands to cover it with decorations her family prepared — paper ornaments from saved colored scraps, glazed cookies from their oven. "And always szaloncukor," she says, eyes brightening as she recalls the chocolate bonbons rolled in foil, a traditional Hungarian Christmas candy....

[Purchase Complete Article, of 684 words](#)

2. **Chattanooga Times Free Press (TN) - December 27, 2015**

**Are trAins in our future?**

TX 8-589-743 #4

While our understanding of rail development chugs along with aging infrastructure from the last century, high-speed modern trains rocket across other parts of the world. One hundred eighty-six miles per hour. In a train. How and why do others develop this rail technology above and beyond our current understanding? What illustrations of this development may inform our own discussions? Welcome on board this occasional series, "On the Rails." Community planners and demographers are tracking...

[Purchase Complete Article, of 660 words](#)

3. **Chattanooga Times Free Press (TN) - January 17, 2016**

**RIDING THE RAILS IN Budapest, "On the Rails" is an occasional series on train travel in Europe.**

TX 8-589-705 #12

On a singular track, along the cold Danube River in December, the holiday tram began lighting its way in Budapest, a city with one of the world's most extensive public transportation systems. The holiday tram now extends across the Danube and, I'm learning as an American, across our traditional definition of the holiday season. So how does Budapest's extensive public transport system expand the holidays? When Erzsebet Pasztor's management team at the Budapest Transport Co. began the...

[Purchase Complete Article, of 640 words](#)

**Join NewsLibrary!**

Find any article, event or story across the U.S.

- ✓ Millions of full text news articles
- ✓ Thousands of newspapers, newswires, broadcasts transcripts and business journals

[Start Now](#)

**bits archive.com**  
Powered by newspaperarchive.com

**Obituaries & Death Notices**  
from hundreds of newspapers

**Easy to Use**

Can't find an obituary?

[Search Now!](#)

NewsLibrary.com - newspaper archive, clipping service - newspapers and...

<http://nl.newsbank.com/nl-search/we/Archives>Chester County  
Independent (TN)City Paper, The (Nashville,  
TN)Claiborne Progress  
(Tazewell, TN)Cleveland Daily Banner  
(TN)Collierville Herald, The  
(TN)Commercial Appeal, The  
(Memphis, TN)Commercial Appeal, The:  
Blogs (Memphis, TN)Commercial Appeal, The:  
Web Edition Articles  
(Memphis, TN)Communicator, The:  
Chattanooga State  
Technical Community  
College (TN)Contemporaria (Nashville,  
TN)Crossville Chronicle (TN)4. **Chattanooga Times Free Press (TN) - January 3, 2016****Tradition for a new year**

The first year Balint Fuszei ventured into the dark of New Year's Eve, his mother grew frightened. At home on the outskirts of Budapest, she spent the evening making lentil soup as he prepared to go out into the cold, snowy night. Hungarian tradition calls for eating lentil soup on New Years, each lentil bean another opportunity for prosperity in the coming year. Balint would eat his, later. First, he was on his way to beginning a new tradition at the train station. How much...

Purchase Complete Article, of 664 words5. **Chattanooga Times Free Press (TN) - December 27, 2015****rails empower human spirit**

"Your stop," the Hungarian train conductor motioned to me, an hour and a half outside of Budapest. "Really, this is the stop?" I wondered, looking out the train window to tundra-like bareness. After exiting the train and crossing the snowy tracks, I went into the one-room train station. My destination, the station attendant revealed, was a car-ride away. This small town had no rental car shop. I had taken a train to nowhere. How hospitable can we consider trains to be, if we...

Purchase Complete Article, of 647 words



EXHIBIT B  
TX 8-587-743 #4

## Are trAins in our future?

December 27, 2015 | Chattanooga Times Free Press (TN)  
Author: BEN VIENT | Page: F2 | Section: Perspective  
660 Words | Readability: Lexile: 1410, grade level(s): >12



While our understanding of rail development chugs along with aging infrastructure from the last century, high-speed modern trains rocket across other parts of the world. One hundred eighty-six miles per hour. In a train. How and why do others develop this rail technology above and beyond our current understanding? What illustrations of this development may inform our own discussions? Welcome on board this occasional series, “On the Rails.”

Community planners and demographers are tracking a transport change afoot: More millennials desire communities with more environmentally friendly, public transport options. This is electrifying new discussions on a development topic our communities have largely ignored in the last decades: modern train networks.

The United States once pioneered rail development. But in the last century, trains didn’t develop as a part of America’s culture after the mass production of automobiles, increased flow of cheaper oil and development of the federal highway system. Getting on the road became our national pastime.

I love the car, the open road, myself. But for the past few years, while based in Europe, trains have become my primary mode of transportation — from daily work commutes to weekend trips to longer-distance vacations. It’s unimaginable to many of us Americans.

The price tags for such rail networks are undeniably huge, much like the price tags of other infrastructure projects such as the Hoover Dam, Erie Canal and Eisenhower highway system. As we limp out of the Great Recession, a general consensus has emerged that in the United States, we have neglected transportation infrastructure. The U.S. spends 1.7 percent of GDP on transportation infrastructure, below others such as Canada, at 4 percent, and China, at 9 percent. As we discuss transportation infrastructure projects going forward, might we be able to re-imagine trains in our own communities?

My understanding of passenger trains was once this: 1) from the town where I grew up, you can drive faster to

the nearest city than take the local commuter train that was often delayed, and 2) from New York City, where I went to work after college as a journalist, you can fly faster home to visit family than take the Amtrak train that was often delayed.

Trains in America had deteriorated so much in the last decades, the only people who seemed to talk about them were Jay Leno, Johnny Carson and David Letterman as punch lines in monologues.

But not so in Europe, where rail investments grew the most on any continent in the last three decades. As I'm crisscrossing from Lisbon to Bucharest, Stockholm to Sicily, I'm understanding the advantages of these trains: less dependence on foreign oil, better air quality, local jobs, community renovation and productive travel into central locations.

I'm also understanding the disadvantages: massive start-up costs, questionable financial sustainability, land grabs, the necessity of local transport options upon arrival and travel times longer than many flights.

All of the above are valid points. We have no examples of these modern rail systems in our own communities, nor our own country; the closest comparison we have is how the federal highway system altered America beginning in the 1950s. That system took more than 30 years to complete. The largest public works project in modern history, it advanced the latest technology and was a visionary political and public act. Can we Americans muster another project of this size with an advanced rail network? Should we?

If we peer across the ocean to observe the stories of a modern rail network, we can conceptualize whether these projects are appropriate for our own society.

I ask only that you not take this ride alone. Share these stories with a young person in your home, or down the street, or at your workplace. Because as massive as these infrastructure proposals are, they would take decades to fully implement.

It's the next generations whose lives could be shaped by the train network illustrated in "On the Rails." We owe them at least the opportunity to imagine the possibilities.

Ben Vient is an American journalist based in Europe.

© Copyright 2015, Chattanooga Times Free Press.

EXHIBIT C  
TX 8-589-705 #12

## RIDING THE RAILS IN Budapest - "On the Rails" is an occasional series on train travel in Europe.

January 17, 2016 | Chattanooga Times Free Press (TN)

Author: BEN VIENT | Page: E4 | Section: Life

640 Words | Readability: Lexile: 1500, grade level(s): >12

 Read News Document ►

On a singular track, along the cold Danube River in December, the holiday tram began lighting its way in Budapest, a city with one of the world's most extensive public transportation systems. The holiday tram now extends across the Danube and, I'm learning as an American, across our traditional definition of the holiday season.

So how does Budapest's extensive public transport system expand the holidays?

When Erzsebet Pasztor's management team at the Budapest Transport Co. began the holiday tram program in December 2009, she wasn't certain how the public would respond.

"The city hadn't done something like this before," she remembers, "and a cost was involved of 5 million forint (about \$17,000). We didn't attempt to collect additional revenue for this as we saw it as a gift to the city."

But the lighted tram became so popular, "people asked each year how we could expand it," Pasztor says.

The expansion began with tinsel and bulbs appearing inside the tram and hot, spiced tea served on opening day. The special lights became a magnet for photographers, who took incredible pictures along a tram route which National Geographic recently named one of the 10 best tram lines in the world. Taking photos became so popular, the city now organizes a night especially for photographers, allowing the tram to pause alongside the famous bridges and castles of Budapest's skyline.

Each year, the tram launches in the first week of December "and we always continue running the special lighted tram through the holidays, until after the first week of January," Pasztor says.

It's an expansive understanding of the holidays I find striking as an American. In the States, Dec. 26 is 50 percent off sales day, signaling sleigh bells to stop. But many European countries consider that the holiday

season goes through the Twelfth Day of Christmas, Jan. 6, and more days than Dec. 25 and Jan. 1 are public holidays.

“Schools here stay closed through the beginning of January,” Pasztor says. “Those are some of the busiest days, when parents take their children on the holiday tram.”

The sight becomes striking as well: Hungarian parents line the Danube River this time of year, not only to see these special lights but also to teach their children about the public transportation system as part of daily life.

Budapest has one of the largest public transportation systems I’ve experienced, and its tram network counts as one of the most extensive in the world: 33 tram lines — also known as lightrail — traverse 98 miles of tracks throughout the city, stopping at 627 stations. The first underground subway in continental Europe opened here in 1896, “demonstrating the Hungarian mind for technological development,” Pasztor says. The subway now has 52 stations across four lines traveling 24 miles.

Socialists expanded the public transportation system in the 20th century to support the idea that every worker should have access to transportation for every shift time of the day. In this city of about 2 million people, the Budapest Transport Co. now reports a yearly operating budget of 166 billion forint (\$567 million). And it reports that ridership is expanding, about 13 percent greater than five years ago.

Budapest’s transportation development, in an expansive land area once the throne of an empire, could serve as a model for emerging mega-regions in the United States. Urban planners believe clusters of cities and towns will grow together in the coming decades, sharing resources such as transportation infrastructure across traditional boundaries.

Budapest’s transportation infrastructure also includes a trolley bus network, where buses attach to overhead wires for electricity. Fifteen such lines power buses across the city. Three years ago, one trolley bus began traveling across the city a little differently: Workers, impressed by the new holiday tram, began decorating one of the buses with lights, expanding the holiday lights project further into the city’s public transportation system and extending the spirit of the holidays.

© Copyright 2016, Chattanooga Times Free Press.



EXHIBIT D

[Today's Paper](#) [Coronavirus Updates](#) [Voter Guide](#) [Core Values](#) [Newsletters](#) [Obituaries](#)

## Terms of Service

WEHCO Media, Inc. ("us," "we" or "our") developed this Terms of Service to govern the use of and to our digital products (websites, mobile apps) by our visitors and customers ("you" or "your"). We, along with our affiliates, partners, and advertisers provide content and services to you subject to the following conditions. **Your use of our sites tells us you have read and agreed to these Terms of Service.** Please read them carefully. This Terms of Service is a binding contract between you and WEHCO Media, Inc. and extends to the use of this site as well as through your use of the websites and mobile apps we own and operate, including [www.arkansasonline.com](http://www.arkansasonline.com), [www.nwaonline.com](http://www.nwaonline.com), [www.wholehogsports.com](http://www.wholehogsports.com), [www.timesfreepress.com](http://www.timesfreepress.com), [www.hotsr.com](http://www.hotsr.com), [www.eldoradonews.com](http://www.eldoradonews.com), [www.texarkanagazette.com](http://www.texarkanagazette.com), [www.camdenarknews.com](http://www.camdenarknews.com), [www.magnoliabannernews.com](http://www.magnoliabannernews.com), [www.newstribune.com](http://www.newstribune.com), [www.fultonsun.com](http://www.fultonsun.com), [www.californiademocrat.com](http://www.californiademocrat.com), as well as other owned and operated websites of WEHCO Media, Inc. If you do not agree with any of these terms, please exit the site.

**Copyright.** All of the information, content, services and software displayed on, transmitted through, or used in connection with this site, including for example directories, guides, news articles, opinions, reviews, text, photographs, images, illustrations, audio clips, video, html, source and object code, software, data, and any similar material (collectively, the "Content"), as well as its selection and arrangement, is owned by WEHCO Media, Inc. and its affiliated companies, licensors and suppliers. We actively protect its rights to the Content to the fullest extent of the law. You may not use such material except as provided in these Terms of Service.

You may use the Content online and solely for your personal, non-commercial use, and you may download or print a single copy of any article for your personal, non-commercial use, provided you do not remove any trademark, copyright or other notice contained in such Content. No other use is permitted. You may not, for example, republish the Content on any Internet, Intranet or Extranet site or incorporate the Content in any database, compilation, archive or cache. You may not distribute any of the Content to others, whether or not for payment or other consideration, and you may not modify, copy, frame, reproduce, sell, publish, transmit, display or otherwise use any portion of the Content without the written consent of us.

Requests to use of the Content for any purpose other than as permitted in this paragraph should be directed to the Permissions Desk at 423-757-NEWS. In certain cases, you may be able to obtain a license to use individual stories that appear on our sites through an online vendor we have specifically designated as authorized to license Content on our behalf. If we have authorized a third-party vendor to grant you a license to any Content, we will tell you that directly in the portion of the Content you may license. If you do not see our express authorization you should assume no third party has the right to allow you to use the

Twenty years ago, the confluence of the morning Chattanooga Times and the afternoon Chattanooga Free Press, the city's dominant 20th century dailies, formed the Chattanooga Times Free Press, a morning-cycle daily newspaper and digital news platform now owned by WEHCO Media Inc. of Arkansas.

If you reverse the flow of history, the wellspring of the modern Times Free Press traces to the birth of the Chattanooga Daily Times, one of many 19th century newspapers in Chattanooga – but the only one that ultimately survived with an unbroken chain of ownership.

Remarkably, Chattanooga's daily newspapers bridge three centuries but have remained mainly under the control of three families: the Ochs, McDonalds and Hussmans.

EXHIBIT E

### The origin story

In a 1911 published history of the city of Chattanooga, lawyer and historian Charles D. McGuffey dates the first edition of the Daily Times as Dec. 15, 1869, and notes it was a publication with high spirits and low print quality. Its profitability was uneven, and by the late 1870s it was considered "nearly moribund," according to historians.

When the Daily Times launched, it was four years after the end of the Civil War and Chattanooga was on the cusp of a golden era of population and economic growth.

Meanwhile, changes in printing technology, including the switch from expensive rag-based newsprint to cheaper paper made from wood pulp, had made newspapers more accessible to the masses by the mid-19th century.

"This was a huge period for growth and industrialization," said Dr. David Sachsman, who holds the George R. West Jr. Chair of Excellence in Communications and Public Affairs at the University of Tennessee at Chattanooga and is an expert in the 19th century press.

Sachsman said Chattanooga would have been swept up in a golden era of newspaper publishing. Between 1870 and 1900, newspaper circulation jumped in the United States from 7 million to 39 million, he said. The period also was marked by mass urbanization that fed demand for consumer products and newspaper advertising.

The only known remaining front page of the 1869 Daily Times notes that it was a paper designed for "merchants, manufacturers and farmers." But also: "For the Home Circle, For Everybody."

McGuffey notes that there were dozens – perhaps more than 100 – printed publications started in Chattanooga from the city's founding in 1839 through the end of the 19th century. Early newspapers had names such as the Hamilton Gazette, the Vindicator, the Chattanooga Rebel and the American

medium, and no guarantee can be made against unauthorized access by third parties.

### For Customers Located in the European Union

Given that NewsBank is established in the U.S., your Personal Data will be transferred to the U.S. for processing, where less strict privacy protections may apply to your Personal Data than those in the EU. However, NewsBank will take reasonable measures to ensure your Personal Data remain protected in compliance with the EU's General Data Protection Regulation (GDPR).

You acknowledge that the transfer of your Personal Data to the U.S. is necessary for the purposes described above. You have the right to request access to, correction of, or erasure of your Personal Data. You may also request restrictions on or object to certain Processing of your Personal Data, or request the portability of your Personal Data. If you would like to make any such requests or would like more information about your rights related to your Personal Data, you can contact the NewsBank's Privacy Officer at: [privacypolicy@newsbank.com](mailto:privacypolicy@newsbank.com), or 1.800.762.8182. You understand and agree that NewsBank's ability to comply with the requests you may make regarding the Processing of your Personal Data may be limited by NewsBank's internal policies, and applicable laws and regulatory requirements that NewsBank is required to comply with. You acknowledge that the Personal Data collection, use, and transfer activities described in this Policy are necessary for the performance of the services rendered by NewsBank.

You also have a right to lodge a complaint with your country's supervisory authority.

NewsBank will retain a copy of your Personal Data until completion of the purposes listed in this Policy or for as long as reasonably necessary for NewsBank to comply with applicable law and NewsBank's internal retention policies.

### How to Contact Us

If you have any questions or comments about this Policy, please contact Us at: [privacypolicy@newsbank.com](mailto:privacypolicy@newsbank.com).

### Notice to Freelance Authors

NewsBank respects the intellectual property of others. The licensors of articles appearing on our Site have assured Us that they have the right to authorize electronic distribution of the articles they provide to Us. If you are a freelance author, and if you have questions or concerns regarding the electronic distribution of your article(s), We recommend that you contact your publisher directly. If you dispute the right of your publisher to authorize electronic distribution of your article(s), you may provide Us with a written notification of your claim. Your notification to Us must be in writing and must include all of the following information:

1. A full and complete identification of your article(s) (namely, the title and listed author(s), publication in which it appears on our Site, the original publication date, and the web page on our Site in which it appears);
2. Your name, address, telephone number, facsimile number and e-mail address;
3. A statement that you own the copyright at issue or that you are acting on behalf of the owner (and, if acting, the name, address and telephone number of the copyright owner for whom you are acting), and, if the copyright has been registered, a copy of the copyright registration or its number and date; and
4. A statement that you have a good faith belief that electronic distribution of the article(s) has not been authorized by the copyright owner, its licensees or agents, or by applicable law.

Your contact information must be accurate and complete so that We can confirm the authenticity of your request and follow up with you if We have difficulty identifying your article. You must sign your notification and affirm to the truth of items (1) – (4) in the form of a statement, sworn and notarized, under penalty of perjury.

EXHIBIT  
F



EXHIBIT G

Registration Number

**TX 8-587-743**

Effective Date of Registration:

January 25, 2018

## Copyright Registration for a Group of Contributions to Periodicals

### Title

---

**Title of Work:** On the Rails by Ben Vient and other contributions: October 2013 - September 2014

### Contributions in this Group

---

- **Title of Contribution:** On the Rails: Selling a station in Vienna  
**Title of Periodical:** Savannah Morning News  
**ISSN:** 1046 7181  
**Issue:** Vol.164  
**On Pages:** 20A  
**Year of Completion:** 2013  
**First Publication:** October 12, 2013, United States
- **Title of Contribution:** Finding the spirit of hospitality in Hungary  
**Title of Periodical:** Martinsburg Journal  
**On Pages:** E1  
**Year of Completion:** 2013  
**First Publication:** December 15, 2013, United States
- **Title of Contribution:** How long is too long to ride a train?  
**Title of Periodical:** Martinsburg Journal  
**On Pages:** E1  
**Year of Completion:** 2013  
**First Publication:** December 01, 2013, United States
- **Title of Contribution:** Riding on European trains provides American with new insights  
**Title of Periodical:** The Burlington Hawk Eye  
**ISSN:** 2577 1140  
**Issue:** Vol.177, No.170  
**Year of Completion:** 2013  
**First Publication:** December 26, 2013, United States
- **Title of Contribution:** A Trip to Berlin



**Title of Periodical:** Martinsburg Journal  
**On Pages:** E1  
**Year of Completion:** 2013  
**First Publication:** December 01, 2013, United States

- **Title of Contribution:** The people you meet in the dining car of a European train  
**Title of Periodical:** The Burlington Hawk Eye  
**ISSN:** 2577 1140  
**Issue:** Vol.177, No.173  
**On Pages:** 1  
**Year of Completion:** 2013  
**First Publication:** December 29, 2013, United States

- **Title of Contribution:** Venturing into the New Year  
**Title of Periodical:** Martinsburg Journal  
**On Pages:** E1  
**Year of Completion:** 2013  
**First Publication:** December 29, 2013, United States

- **Title of Contribution:** A train excursion from Warsaw to Budapest and back  
**Title of Periodical:** Louisville Courier Journal  
**ISSN:** 1930 2177  
**On Pages:** H2  
**Year of Completion:** 2014  
**First Publication:** January 12, 2014, United States

- **Title of Contribution:** How some people draw trains and the train experience  
**Title of Periodical:** Louisville Courier Journal  
**ISSN:** 1930 2177  
**On Pages:** H2  
**Year of Completion:** 2014  
**First Publication:** January 26, 2014, United States

- **Title of Contribution:** Poland hits brakes on updating rails  
**Title of Periodical:** Louisville Courier Journal  
**ISSN:** 1930 2177  
**On Pages:** H3  
**Year of Completion:** 2014  
**First Publication:** February 09, 2014, United States

- **Title of Contribution:** Poland about to see results of railroad strategy shift  
**Title of Periodical:** Louisville Courier Journal  
**ISSN:** 1930 2177  
**On Pages:** H2  
**Year of Completion:** 2014  
**First Publication:** February 23, 2014, United States

- **Title of Contribution:** Trains test germophobic culture  
**Title of Periodical:** Louisville Courier Journal  
**ISSN:** 1930 2177

EXHIBIT H

Registration Number

**TX 8-589-705**

Effective Date of Registration:

February 04, 2018

## Copyright Registration for a Group of Contributions to Periodicals

### Title

**Title of Work:** On the Rails by Ben Vient and other contributions October 2015 - July of 2016

### Contributions in this Group

- **Title of Contribution:** Through the tunnel to Children's Railway  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** B6  
**Year of Completion:** 2015  
**First Publication:** October 05, 2015, United States
- **Title of Contribution:** The female driver  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** B6  
**Year of Completion:** 2015  
**First Publication:** October 19, 2015, United States
- **Title of Contribution:** Voices on Board  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** B6  
**Year of Completion:** 2015  
**First Publication:** October 26, 2015, United States
- **Title of Contribution:** Into Budapest's train graveyard  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** A8  
**Year of Completion:** 2015  
**First Publication:** November 02, 2015, United States
- **Title of Contribution:** The epic migration story

**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** 5B  
**Year of Completion:** 2015  
**First Publication:** November 16, 2015, United States

- **Title of Contribution:** Station to give thanks  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** 5B  
**Year of Completion:** 2015  
**First Publication:** November 23, 2015, United States
- **Title of Contribution:** Migrants move northward, into winter  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304  
**Issue:** Vol.50, No.258  
**On Pages:** 2E  
**Year of Completion:** 2015  
**First Publication:** November 29, 2015, United States
- **Title of Contribution:** Gliding into the Holidays  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304  
**Issue:** Vol.50, No.258  
**On Pages:** 3E  
**Year of Completion:** 2015  
**First Publication:** November 29, 2015, United States
- **Title of Contribution:** Gliding into the holidays Pt.2  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** 5B  
**Year of Completion:** 2015  
**First Publication:** December 07, 2015, United States
- **Title of Contribution:** A spirit of hospitality  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** 5B  
**Year of Completion:** 2015  
**First Publication:** December 21, 2015, United States
- **Title of Contribution:** The arrival of Budapest's Christmas tram  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** 5B  
**Year of Completion:** 2015  
**First Publication:** December 28, 2015, United States

- **Title of Contribution:** The expansion of Budapest's holiday lights  
**Title of Periodical:** Lebanon Daily News  
**ISSN:** 0746 8563  
**On Pages:** 5B  
**Year of Completion:** 2016  
**First Publication:** January 04, 2016, United States
- **Title of Contribution:** A pizza recipe in Salerno, Italy  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304  
**Issue:** Vol.50, No.314  
**On Pages:** 6E  
**Year of Completion:** 2016  
**First Publication:** January 24, 2016, United States
- **Title of Contribution:** The 'Force' of the climate change deal  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304  
**Issue:** Vol.50, No.335  
**On Pages:** 6E  
**Year of Completion:** 2016  
**First Publication:** February 14, 2016, United States
- **Title of Contribution:** Rail link to Salerno proves more popular than was expected  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304  
**Issue:** Vol.51, No.18  
**On Pages:** 6E  
**Year of Completion:** 2016  
**First Publication:** April 03, 2016, United States
- **Title of Contribution:** Company's Decalogue connects with train riders  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304  
**Issue:** Vol.51, No.25  
**On Pages:** 6E  
**Year of Completion:** 2016  
**First Publication:** April 10, 2016, United States
- **Title of Contribution:** 'Ferrari' train speeds through Italy  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304  
**Issue:** Vol.51, No.32  
**On Pages:** 6E  
**Year of Completion:** 2016  
**First Publication:** April 17, 2016, United States
- **Title of Contribution:** Film shows Italy's link of rail, war  
**Title of Periodical:** Florida Today  
**ISSN:** 1051 8304